United States District Court
Southern District of Texas
FILED

FEB 22 2017

David J. Bradley, Clerk

United States District Court

SOUTHERN DISTRICT OF TEXAS
McALLEN DIVISION

UNITED STATES OF AMERICA
V.

CRIMINAL COMPLAINT

Luis Adrian Hernandez-Vasquez *Principal*
YOB: 1991 the United Mexican States

Case Number:
M-17- 0359 -M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about February 20, 2017 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(*Track Statutory Language of Offense*)

knowing or in reckless disregard of the fact that Yolanda Tellez-Hernandez and Jose Samuel Duarte, citizens and nationals of Guatemala, along with sixteen (16) other undocumented aliens, for a total of eighteen (18), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempt to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation, near Mission, Texas.

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii) FELONY
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On February 4, 2017, Agents received information from a Mission Police Officer of a suspected stash residence located at 1812 Leandro Street in Mission, Texas. Agents conducted surveillance periodically from February 4, 2017 to February 20, 2017.

Agents observed a white truck parked outside the suspected stash residence on 1812 Leandro St in Mission, Texas. Moments later agents observed a male subject exit the suspected stash residence and saw him get into a white pickup truck. Agents followed and observed the male driver of the white pickup truck drive to a local Wal-Mart. The male of the white pickup truck was seen purchasing large quantities of food and drinks. Agents continued to observe the white pickup truck as it departed the Wal-Mart but lost visual due to heavy traffic.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint: [X] Yes [ ] No

Signature of Complainant

Salvador Mendez Senior Patrol Agent
Printed Name of Complainant

Sworn to before me and subscribed in my presence,

February 22, 2017 8:34am at McAllen, Texas
Date City and State

Peter E. Ormsby, U. S. Magistrate Judge
Name and Title of Judicial Officer

Signature of Judicial Officer

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS

ATTACHMENT TO CRIMINAL COMPLAINT:

M-17-0359 -M

RE: Luis Adrian Hernandez-Vasquez

CONTINUATION:

On February 20, 2017, agents continued surveillance and observed the same subject driving the white pickup truck arrive at the suspected stash residence. Agents observed the male driver and a male passenger exit the white pickup and enter the residence. Agents observed the male driver exit the residence and depart in the white pickup truck. Moments later a Hidalgo County Deputy conducted a traffic stop on the white pickup truck for speeding. The driver, who was later identified as Luis Adrian HERNANDEZ-Vasquez was issued a speeding citation for traveling 56 mph in a 45 mph zone. During the traffic stop, Border Patrol Agents conducted an immigration inspection on HERNADNEZ and found Hernandez to be illegally present in the United States. HERNANDEZ was placed under arrest and was read his Miranda Rights. HERNANDEZ was also questioned regarding his involvement in illegal alien smuggling and he stated that he would transport undocumented aliens, food and water to the 1812 Leandro Street residence in Mission, Texas. Hernandez stated he would freely enter and leave the residence as he pleased. HERNANDEZ gave written consent to enter and search the 1812 Leandro Street residence and stated there would be about 20 undocumented aliens at the residence.

Agents and HSCO responded to the residence located at 1812 Leandro Street in Mission, Texas and conducted a knock and talk. Agents observed a subject open the back door and a total of 4 subjects freely exited the residence. All 4 subjects were determined to be illegally in the United States. Agents along with HSCO entered the residence and found an additional 14 subjects and all were determined to be illegally in the United States. A ledger was found containing 17 names of the subjects that were at the location.

All subjects were arrested and transported to the Border Patrol Station.

PRINCIPAL STATEMENT

Luis Adrian HERNANDEZ-Vasquez a citizen of Mexico was read his Miranda Rights and agreed to provide a statement without an attorney present.

HERNANDEZ stated he was hired by an unknown smuggler to transport undocumented aliens to the stash residence located at 1812 Leandro Street in Mission, Texas and was to be paid 20.00 USD per person. HERNANDEZ also indicated that he knew he was being arrested for transporting undocumented aliens to the residence house. HERNANDEZ then stated he would take water and food items to the undocumented aliens at the stash house.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS

ATTACHMENT TO CRIMINAL COMPLAINT:

M-17-0359 -M

RE: Luis Adrian Hernandez-Vasquez

CONTINUATION:

MATERIAL WITNESS 1
Yolanda TELLEZ-Hernandez a citizen of Guatemala was read her Miranda Rights and agreed to provide a statement without an attorney present.

TELLEZ stated she was to pay 2300 USD to be smuggled into the United States. Once in the United States, she was picked up in a white truck and was transported to the residence where she was eventually arrested by Border Patrol Agents. TELLEZ stated that when she was taken to the residence, the male driver of the white truck asked her for her name and wrote it down in a tablet. She then stated he instructed her to keep quiet and not to go outside. Tellez stated that the male subject would come by and drop off food and drinks in the evenings.

Yolanda TELLEZ-Hernandez was shown a photo line-up and was able to positively identify Luis Adrian HERNANDEZ-Vasquez as the caretaker.

MATERIAL WITNESS 2
Jose Samuel DUARTE a citizen of Guatemala was read his Miranda Rights and agreed to provide a statement without an attorney present.

DUARTE stated he made the smuggling arrangements with an unknown smuggler and was to pay 3000 USD to be smuggled into the United States. DUARTE stated that once in the United States, he was picked up by a male subject driving a white truck and instructed him to get in. DUARTE stated that he was transported in the white pickup truck to the residence where he was eventually arrested by Border Patrol Agents. DUARTE also stated the male driver of the white truck instructed him to go inside the residence. DUARTE claims that once inside the residence, the driver of the white truck asked him for his name.

Jose Samuel DUARTE was shown a photo line-up and was able to positively identify Luis Adrian HERNANDEZ-Vasquez as the driver of the white truck.